

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 719 OF 2019
IN
SUIT NO. 271 OF 2019**

Sadori Tikamdas Masand

...Plaintiff

Vs.

Rajni Gul Masand & Anr.

...Defendants

Dr. Abhinav Chandrachud a/w Mr. Rubin Vakil, Mr. Sandip Vimadalal and Ms. Heena Ahmedabadwal I/by Vimabalal and Co. for Applicant.

Mr. Rohaan Cama a/w Ms. Kirtida Chandarana and Ms. Dipanwita Shah I/b Mahernosh J. Humranwala for Defendant No. 1.

CORAM : K.R.SHRIRAM, J.

DATE : 9th APRIL 2019

P.C.:

1 At the outset Dr. Chandrachud for plaintiff tenders draft amendment which is taken on record and marked 'X' for identification. Mr. Cama has no objection.

2 Leave to amend granted. Amendment to be carried out and the copy of the amended plaint to be served within 1 week from today. Re-verification dispensed with.

3 Mr. Cama for defendant No. 1 waives service of writ of summons. Plaintiff to apply for issuance of writ of summons during the course of this week to be served on defendant no. 2.

4 Mr. Cama and Dr. Chandrachud state that this being a family dispute, they will put all efforts to settle the matter and request that some

time to be given as defendant no.1 is in USA. Mr. Cama states that defendant No. 1 has not and will not create any third party interest or right, will maintain status quo and also not disturb the possession of the plaintiff. Dr. Chandrachud states that plaintiff will also maintain status quo and plaintiff has not created any third party rights. Statements accepted as undertaking to this court.

5 Notice of motion accordingly stands disposed.

6 The order dated 14.01.2019 shall continue against defendant no. 2. Defendant No. 2 shall not proceed with any transfer application.

7 Suit be listed on 07.06.2019 for directions.

(K.R. SHRIRAM, J.)